

MINNESOTA BOARD OF MARRIAGE AND FAMILY THERAPY

REQUEST FOR ADMINISTRATIVE RULE VARIANCE

This form is submitted for the purpose of requesting a variance from Minnesota Rules 5300.0100 – 5300.0355. The form must be filled in completely for a review to take place. Any form which is incomplete, may subject the request to a denial. Please type or print clearly. Attach additional pages if more room is required to fully describe request.

1. Cite the specific rule (rule number and title) from which you are requesting the variance. (Use a separate form for each rule variance requested.)
2. State the full reason for the request.
3. Describe alternative measures to be taken if the variance is granted.
4. State the period of time for which the variance is requested.
5. Additional relevant information:

Print Name and License Number:	License Number:	Email:
Mailing Address:	Signature of Requestor:	Date:

FOR BOARD USE ONLY	
VARIANCE:	DENIED
VARIANCE APPROVED	VARIANCE DENIED
Variance Effective: Through	Reasons: Does not meet Subp. 1, A B C
ALTERNATIVE CONDITIONS OR OTHER INFORMATION:	
Authorized Signature:	Date:

5300.0340 VARIANCE.

Subpart 1. Variance; when allowed. A licensee or applicant may petition the board in writing for a variance from this chapter, except if the rule incorporates a statutory requirement. A variance shall be granted if the board determines that the licensee or applicant has specified alternative practices or measures equivalent to or superior to the rule in question and if the licensee or applicant provides evidence that:

- A. the rationale for the rule in question can be met or exceeded by the specified alternative practices or measures;
- B. adherence to the rule would impose an undue burden on the licensee or applicant; and
- C. the granting of the variance will not adversely affect the public welfare.

Subp. 2. Petition; requirements. A petition for a variance must contain the following information:

- A. the specific rule for which the variance is requested;
- B. the reason for the request;
- C. the alternative practices or measures that will be taken if a variance is granted; and
- D. the length of time for which a variance is requested.

Subp. 3. Alternatives must be followed. A licensee or applicant who is granted a variance must comply with the alternative practices or measures specified in the petition for the variance.

Subp. 4. Notice of change; revocation. A licensee or applicant who has been granted a variance must immediately notify the board of any material change in the circumstances that justified the variance. A variance shall be revoked if there is a material change in the circumstances that justified the granting of the variance.

Subp. 5. Burden of proof. The burden of proof is upon the licensee or applicant to demonstrate to the board, by a preponderance of the evidence, that the requirements in subparts 1 and 2 have been met.

Subp. 6. Notice of variance; denial; revocation. The board shall notify the licensee or applicant in writing when the board grants, denies, or revokes a variance. The notice must specify the reasons for the action. If a variance is granted, the notification must state the period of time for which the variance is effective, if required, and must state alternative practices or measures the licensee or applicant must meet.

Please MAIL or EMAIL Request To:

MINNESOTA BOARD OF MARRIAGE AND FAMILY THERAPY

2829 University Avenue SE, Suite 400

Minneapolis, MN 55414

Email: mft.board@state.mn.us

Telephone: (612) 617-2220 Fax: (612) 617-2221

MN Relay Service for Hearing or Speech Impaired: 1-800-627-3529